IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2007

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THE HONOURABLE MR. JUSTICE P. JYOTHIMANI

Writ Petition No.4286 of 2007

R.Khursheed Ahmed .. Petitioner

Versus

1.The Chief Engineer
Agriculture Engineering Department
Nandhanam, Chennai 600 035.

2.The District Collector
Chennai District
Singaravelar Maligai
Rajaji Salai, Chennai 600 001.

3.The Assistant Executive Engineer
Agriculture Engineering Department
Nandhanam
Chennai 600 035. .. Respondents

Writ petition filed under Article 226 of Constitution of India praying for issue of a Writ of Mandamus, directing the first and second respondents to evaluate the arrears of retirement benefits as per the recommendations of the third respondent to the first respondent dated 07.04.2005 and consequently, confer special grade with effect from 14.02.2003 for fixation of pension and pay all statutory benefits including arrears with interest and costs.

For Petitioner : Mr.E.Vijay Anand

For Respondents : Mr.D.Srinivasan
Government Advocate.

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ORDER

This writ petition has been filed for a direction against the first and second respondent to evaluate the arrears of retirement benefits as per the recommendations of the third respondent to the first respondent dated 07.04.2005 and consequently, confer special grade with effect from 14.02.2003 for fixation of pension and pay all statutory benefits including arrears with interest and costs.

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2. The petitioner is a physically challenged person and has put in more than 25 years of service and retired on voluntary

retirement scheme. The case of the petitioner was recommended by the second respondent in his proceedings dated 07.02.2005 for the purpose of evaluating the arrears of retirement benefits.

3. Mr. E.Vijay Anand, learned counsel appearing for the petitioner would submit that after filing of the writ petition, a communication has been received by which the first respondent has forwarded the representation of the petitioner to the second respondent that evaluation would be made about the pay due to the petitioner based on the recommendations of the third respondent. In view of the said facts, the writ petition is filed.

4. I have heard Mr.E.Vijaya Anand, learned counsel for the petitioner as well as Mr.D.Srinivasan, learned Government Advocate appearing for the respondents.

5. Considering the limited scope of the prayer in the writ petition, the first respondent is directed to evaluate the payment due to the petitioner and also pass orders regarding the arrears of retirement benefits based on the recommendations of the third respondent and also conferring of the special grade with effect from 14.02.2003 for the purpose of fixing of pension and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this Order.

The writ petition is disposed of accordingly. No costs. Consequently, M.P.No.1 of 2007 is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

Ksr

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To
1.The Chief Engineer
Agriculture Engineering Department
Nandhanam, Chennai 600 035.

2.The District Collector
Chennai District
Singaravelar Maligai
Rajaji Salai, Chennai 600 001.

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3.The Assistant Executive Engineer
Agriculture Engineering Department
Nandhanam
Chennai 600 035.

1 cc to mr.E. Vijay Anand, Advocate, Sr. 7605

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